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November 30, 2020

VIA ECF

Honorable Philip M. Halpern
United States District Judge
Southern District of New York
500 Pearl Street, New York 10007

Re: Lebron v. Mrzyglod, et al.
Docket No. 14 Civ. 1029 (PMH)(JCM)

Your Honor:

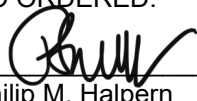
This firm represents Plaintiff Angel D. Lebron, action brought pursuant to 42 U.S.C. § 1983. I write now of the Court's Order, dated November 30, 2020, denying of time, from December 1, 2020, to February 1, 2021, for Pretrial Order ("JPTO"). (Docket no. 144). To be clear, cc extension, from December 1, 2020, to December 15, 2020. Shelvin, Esq. counsel for defendants, joins in this request

Application granted. The time for the parties to file their Joint Pretrial Order is extended from December 1, 2020 to December 15, 2020.

The conference currently scheduled for December 16, 2020 is rescheduled to December 22, 2020 at 11:00 a.m. At the time of the scheduled conference, all parties shall call: (888) 398-2342; access code: 3456831.

The Clerk of the Court is respectfully directed to terminate the pending motion sequence at Doc. 145.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
December 1, 2020

The reason for the application is twofold: First, the undersigned has unexpectedly and tragically experienced a death in his close family on Sunday November 29, 2020. Counsel is planning on taking the next two days off for bereavement.

Secondly, the drafting and filing of a JPTO is a multi-step process which requires the parties to confer, review each other's submissions, and insert objections where necessary. Once this happens the parties then need to review the proposed changes and objections the other party has inserted into their papers. This process usually takes more than one round of review and inserting changes and objections.

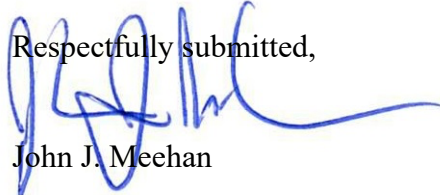
Now that the Court has denied defendants application, the parties must condense this coordination into a single day, as the JPTO is due on December 1, 2020. This will no doubt have a negative effect on the quality of the parties' work product, and on a document as important as a JPTO, there exists a significant chance counsel for either party severely prejudicing their client by omitting a key witness or exhibit, or failing to object to opposing counsel's witnesses or exhibits. Indeed, the Court notes in its rules regarding the parties' exhibit lists that "[t]he failure to include a notation and basis may be deemed a waiver of any objection."

Allowing the parties until December 15, 2020 to file their JPTO will have no effect on any other deadline in this case. The parties do not yet have a trial date. The parties December 16, 2020 conference can go on as planned, and the parties will be prepared to discuss their proposed JPTO at length at the conference.

The parties are mindful of the Court's desire to strictly adhere to its previously set deadlines, and its reluctance to continuously extend deadlines. However, in light of the above, the parties respectfully request one *final* two-week extension.

Based on the foregoing, plaintiff respectfully requests a two (2) week extension, from December 1, 2020, to December 15, 2020 for the parties to file their proposed JPTO

I thank the Court for its consideration and continued patience in this matter.

Respectfully submitted,

John J. Meehan

cc: Neil Shelvin, Esq.
Counsel for defendants.